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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KADE BYRAND,

Defendant.

No. CR 2:25-CR-00539-AB

PLEA AGREEMENT FOR DEFENDANT KADE
BYRAND

1. This constitutes the plea agreement between KADE BYRAND ("defendant") and the United States Attorney's Office for the Central District of California (the "USAO") in the above-captioned case. This agreement is limited to the USAO and cannot bind any other federal, state, local, or foreign prosecuting, enforcement, administrative, or regulatory authorities.

DEFENDANT'S OBLIGATIONS

2. Defendant agrees to:

a. Give up the right to indictment by a grand jury and, at the earliest opportunity requested by the USAO and provided by the Court, appear and plead guilty to the single-count information in the

1 form attached to this agreement as Exhibit A or a substantially
2 similar form, which charges defendant with Simple Assault on a
3 Federal Officer or Employee, in violation of 18 U.S.C. § 111(a)(1), a
4 Class A Misdemeanor.

5 b. Not contest facts agreed to in this agreement.

6 c. Abide by all agreements regarding sentencing contained
7 in this agreement.

8 d. Appear for all court appearances, surrender as ordered
9 for service of sentence, obey all conditions of any bond, and obey
10 any other ongoing court order in this matter.

11 e. Not commit any crime; however, offenses that would be
12 excluded for sentencing purposes under United States Sentencing
13 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not
14 within the scope of this agreement.

15 f. Be truthful at all times with the United States
16 Probation and Pretrial Services Office and the Court.

17 g. Pay the applicable special assessment at or before the
18 time of sentencing unless defendant has demonstrated a lack of
19 ability to pay such assessments.

20 h. Agree to and not oppose the imposition of the
21 following condition of probation or supervised release: defendant
22 shall not come within 100 feet of a federal building unless required
23 by a court order, or within 100 feet of a federal law enforcement
24 officer engaged in the performance of his or her official duties,
25 without prior permission of the United States Probation and Pretrial
26 Services, and any inadvertent violations of this condition shall be
27 reported within 24 hours of occurrence.

1 6. Defendant understands that supervised release is a period
2 of time following imprisonment during which defendant will be subject
3 to various restrictions and requirements. Defendant understands that
4 if defendant violates one or more of the conditions of any supervised
5 release imposed, defendant may be returned to prison for all or part
6 of the term of supervised release authorized by statute for the
7 offense that resulted in the term of supervised release, which could
8 result in defendant serving a total term of imprisonment greater than
9 the statutory maximum stated above.

10 7. Defendant understands that, by pleading guilty, defendant
11 may be giving up valuable government benefits and valuable civic
12 rights. Defendant understands that the conviction in this case may
13 also subject defendant to various other collateral consequences,
14 including but not limited to revocation of probation, parole, or
15 supervised release in another case and suspension or revocation of a
16 professional license. Defendant understands that unanticipated
17 collateral consequences will not serve as grounds to withdraw
18 defendant's guilty plea.

19 8. Defendant understands that, if defendant is not a United
20 States citizen, the conviction in this case may subject defendant to:
21 removal, also known as deportation, which may, under some
22 circumstances, be mandatory; denial of citizenship; and denial of
23 admission to the United States in the future. The Court cannot, and
24 defendant's attorney also may not be able to, advise defendant fully
25 regarding the immigration consequences of the conviction in this
26 case. Defendant understands that unexpected immigration consequences
27 will not serve as grounds to withdraw defendant's guilty plea.

1 FACTUAL BASIS

2 9. Defendant admits that defendant is, in fact, guilty of the
3 offense to which defendant is agreeing to plead guilty. Defendant
4 and the USAO agree to the statement of facts provided below and agree
5 that this statement of facts is sufficient to support a plea of
6 guilty to the charge described in this agreement and to establish the
7 Sentencing Guidelines factors set forth below but is not meant to be
8 a complete recitation of all facts relevant to the underlying
9 criminal conduct or all facts known to either party that relate to
10 that conduct.

11 On June 6, 2025, in Los Angeles County, within the Central
12 District of California, defendant KADE BYRAND, intentionally and
13 forcibly assaulted, victim K.N., an officer or employee of the Bureau
14 of Prisons ("BOP"), while K.N. was engaged in, and on account of, the
15 performance of K.N.'s official duties. Specifically, defendant
16 intentionally grabbed K.N.'s vest and physically shoved K.N. while
17 K.N. was on duty standing just outside BOP's Metropolitan Detention
18 Center ("MDC-LA") protecting the MDC-LA building and its inmates from
19 protestors, including defendant BYRAND.

20 SENTENCING FACTORS

21 10. Defendant understands that in determining defendant's
22 sentence the Court is required to calculate the applicable Sentencing
23 Guidelines range and to consider that range, possible departures
24 under the Sentencing Guidelines, and the other sentencing factors set
25 forth in 18 U.S.C. § 3553(a). Defendant understands that the
26 Sentencing Guidelines are advisory only, that defendant cannot have
27 any expectation of receiving a sentence within the calculated
28 Sentencing Guidelines range, and that after considering the

1 Sentencing Guidelines and the other § 3553(a) factors, the Court will
2 be free to exercise its discretion to impose any sentence it finds
3 appropriate up to the maximum set by statute for the crime of
4 conviction.

5 11. Defendant and the USAO agree to the following applicable
6 Sentencing Guidelines factors:

7 Base Offense Level: 10 U.S.S.G. § 2A2.4

8 Involved Physical Contact +3 U.S.S.G. § 2A2.4(b) (1)

9 Defendant and the USAO reserve the right to argue that additional
10 specific offense characteristics, adjustments, and departures under
11 the Sentencing Guidelines are appropriate.

12 12. Defendant understands that there is no agreement as to
13 defendant's criminal history or criminal history category.

14 13. Defendant and the USAO reserve the right to argue for a
15 sentence outside the sentencing range established by the Sentencing
16 Guidelines based on the factors set forth in 18 U.S.C. § 3553(a) (1),
17 (a) (2), (a) (3), (a) (6), and (a) (7).

18 WAIVER OF CONSTITUTIONAL RIGHTS

19 14. Defendant understands that by pleading guilty, defendant
20 gives up the following rights:

- 21 a. The right to persist in a plea of not guilty.
- 22 b. The right to a speedy and public trial by jury.
- 23 c. The right to be represented by counsel -- and if
24 necessary have the Court appoint counsel -- at trial. Defendant
25 understands, however, that, defendant retains the right to be
26 represented by counsel -- and if necessary have the Court appoint
27 counsel -- at every other stage of the proceeding.

1 d. The right to be presumed innocent and to have the
2 burden of proof placed on the government to prove defendant guilty
3 beyond a reasonable doubt.

4 e. The right to confront and cross-examine witnesses
5 against defendant.

6 f. The right to testify and to present evidence in
7 opposition to the charges, including the right to compel the
8 attendance of witnesses to testify.

9 g. The right not to be compelled to testify, and, if
10 defendant chose not to testify or present evidence, to have that
11 choice not be used against defendant.

12 h. Any and all rights to pursue any affirmative defenses,
13 Fourth Amendment or Fifth Amendment claims, and other pretrial
14 motions that have been filed or could be filed.

15 WAIVER OF APPEAL OF CONVICTION AND COLLATERAL ATTACK

16 15. Defendant understands that, with the exception of an appeal
17 based on a claim that defendant's guilty plea was involuntary, by
18 pleading guilty defendant is waiving and giving up any right to
19 appeal defendant's conviction on the offense to which defendant is
20 pleading guilty. Defendant understands that this waiver includes,
21 but is not limited to, arguments that the statute to which defendant
22 is pleading guilty is unconstitutional, and any and all claims that
23 the statement of facts provided herein is insufficient to support
24 defendant's plea of guilty.

25 16. Defendant also gives up any right to bring a post-
26 conviction collateral attack on the conviction or sentence, except a
27 post-conviction collateral attack based on a claim of ineffective
28 assistance of counsel, a claim of newly discovered evidence, or an

1 explicitly retroactive change in the applicable Sentencing
2 Guidelines, sentencing statutes, or statutes of conviction.
3 Defendant understands that this waiver includes, but is not limited
4 to, arguments that the statute to which defendant is pleading guilty
5 is unconstitutional, and any and all claims that the statement of
6 facts provided herein is insufficient to support defendant's plea of
7 guilty.

8 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

9 17. Defendant agrees that, provided the Court imposes a term of
10 imprisonment within or below the range corresponding to an offense
11 level of 11 and the criminal history category calculated by the
12 Court, defendant gives up the right to appeal all of the following:
13 (a) the procedures and calculations used to determine and impose any
14 portion of the sentence; (b) the term of imprisonment imposed by the
15 Court; (c) the fine imposed by the Court, provided it is within the
16 statutory maximum; (d) to the extent permitted by law, the
17 constitutionality or legality of defendant's sentence, provided it is
18 within the statutory maximum; (e) the term of probation or supervised
19 release imposed by the Court, provided it is within the statutory
20 maximum; and (f) any of the following conditions of probation or
21 supervised release imposed by the Court: the conditions set forth in
22 Second Amended General Order 20-04 of this Court; the drug testing
23 conditions mandated by 18 U.S.C. §§ 3563(a)(5) and 3583(d); the
24 alcohol and drug use conditions authorized by 18 U.S.C. § 3563(b)(7);
25 and the conditions of probation or supervised release agreed to by
26 defendant in paragraph 2 above.

27 18. The USAO agrees that, provided (a) all portions of the
28 sentence are at or below the statutory maximum specified above and

1 (b) the Court imposes a term of imprisonment within or above the
2 range corresponding to an offense level of 11 and the criminal
3 history category calculated by the Court, the USAO gives up its right
4 to appeal any portion of the sentence.

5 RESULT OF WITHDRAWAL OF GUILTY PLEA

6 19. Defendant agrees that if, after entering a guilty plea
7 pursuant to this agreement, defendant seeks to withdraw and succeeds
8 in withdrawing defendant's guilty plea on any basis other than a
9 claim and finding that entry into this plea agreement was
10 involuntary, then (a) the USAO will be relieved of all of its
11 obligations under this agreement; and (b) should the USAO choose to
12 pursue any charge that was either dismissed or not filed as a result
13 of this agreement, then (i) any applicable statute of limitations
14 will be tolled between the date of defendant's signing of this
15 agreement and the filing commencing any such action; and
16 (ii) defendant waives and gives up all defenses based on the statute
17 of limitations, any claim of pre-indictment delay, or any speedy
18 trial claim with respect to any such action, except to the extent
19 that such defenses existed as of the date of defendant's signing this
20 agreement.

21 RESULT OF VACATUR, REVERSAL OR SET-ASIDE

22 20. Defendant agrees that if the count of conviction is
23 vacated, reversed, or set aside, both the USAO and defendant will be
24 released from all their obligations under this agreement.

25 EFFECTIVE DATE OF AGREEMENT

26 21. This agreement is effective upon signature and execution of
27 all required certifications by defendant, defendant's counsel, and an
28 Assistant United States Attorney.

BREACH OF AGREEMENT

22. Defendant agrees that if defendant, at any time after the signature of this agreement and execution of all required certifications by defendant, defendant's counsel, and an Assistant United States Attorney, knowingly violates or fails to perform any of defendant's obligations under this agreement ("a breach"), the USAO may declare this agreement breached. All of defendant's obligations are material, a single breach of this agreement is sufficient for the USAO to declare a breach, and defendant shall not be deemed to have cured a breach without the express agreement of the USAO in writing. If the USAO declares this agreement breached, and the Court finds such a breach to have occurred, then: (a) if defendant has previously entered a guilty plea pursuant to this agreement, defendant will not be able to withdraw the guilty plea, and (b) the USAO will be relieved of all its obligations under this agreement.

23. Following the Court's finding of a knowing breach of this agreement by defendant, should the USAO choose to pursue any charge that was either dismissed or not filed as a result of this agreement, then:

a. Defendant agrees that any applicable statute of limitations is tolled between the date of defendant's signing of this agreement and the filing commencing any such action.

b. Defendant waives and gives up all defenses based on the statute of limitations, any claim of pre-indictment delay, or any speedy trial claim with respect to any such action, except to the extent that such defenses existed as of the date of defendant's signing this agreement.

1 c. Defendant agrees that: (i) any statements made by
2 defendant, under oath, at the guilty plea hearing (if such a hearing
3 occurred prior to the breach); (ii) the agreed to factual basis
4 statement in this agreement; and (iii) any evidence derived from such
5 statements, shall be admissible against defendant in any such action
6 against defendant, and defendant waives and gives up any claim under
7 the United States Constitution, any statute, Rule 410 of the Federal
8 Rules of Evidence, Rule 11(f) of the Federal Rules of Criminal
9 Procedure, or any other federal rule, that the statements or any
10 evidence derived from the statements should be suppressed or are
11 inadmissible.

12 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

13 OFFICE NOT PARTIES

14 24. Defendant understands that the Court and the United States
15 Probation and Pretrial Services Office are not parties to this
16 agreement and need not accept any of the USAO's sentencing
17 recommendations or the parties' agreements to facts or sentencing
18 factors.

19 25. Defendant understands that both defendant and the USAO are
20 free to: (a) supplement the facts by supplying relevant information
21 to the United States Probation and Pretrial Services Office and the
22 Court, (b) correct any and all factual misstatements relating to the
23 Court's Sentencing Guidelines calculations and determination of
24 sentence, and (c) argue on appeal and collateral review that the
25 Court's Sentencing Guidelines calculations and the sentence it
26 chooses to impose are not error, although each party agrees to
27 maintain its view that the calculations above are consistent with the
28 facts of this case. While this paragraph permits both the USAO and

1 defendant to submit full and complete factual information to the
2 United States Probation and Pretrial Services Office and the Court,
3 even if that factual information may be viewed as inconsistent with
4 the facts agreed to in this agreement, this paragraph does not affect
5 defendant's and the USAO's obligations not to contest the facts
6 agreed to in this agreement.

7 26. Defendant understands that even if the Court ignores any
8 sentencing recommendation, finds facts or reaches conclusions
9 different from those agreed to, and/or imposes any sentence up to the
10 maximum established by statute, defendant cannot, for that reason,
11 withdraw defendant's guilty plea, and defendant will remain bound to
12 fulfill all defendant's obligations under this agreement. Defendant
13 understands that no one -- not the prosecutor, defendant's attorney,
14 or the Court -- can make a binding prediction or promise regarding
15 the sentence defendant will receive, except that it will be within
16 the statutory maximum.

17 NO ADDITIONAL AGREEMENTS

18 27. Defendant understands that, except as set forth herein,
19 there are no promises, understandings, or agreements between the USAO
20 and defendant or defendant's attorney, and that no additional
21 promise, understanding, or agreement may be entered into unless in a
22 writing signed by all parties or on the record in court.

23 ///

24 ///

PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

28. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE
FOR THE CENTRAL DISTRICT OF
CALIFORNIA

BILAL A. ESSAYLI
United States Attorney

Max A. Shapiro

MAX A. SHAPIRO
Assistant United States Attorney

Kade Byrand
KADE BYRAND
Defendant

Mark J. Werskman
MARK J. WERSKMAN
Attorney for Defendant
KADE BYRAND

June 26, 2025

Date

6/25/2025

Date

6/26/2025

Date

CERTIFICATION OF DEFENDANT

I have read this agreement in its entirety. I have had enough time to review and consider this agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this agreement, and I voluntarily agree to those terms. I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. No promises, inducements, or representations of any kind have been made to me other than those contained in this agreement. No one has threatened or forced me in any way to enter into this agreement. I am satisfied with the representation of my attorney in this matter, and I am pleading guilty because I am guilty of the charge and wish to take advantage of the promises set forth in this agreement, and not for any other reason.


KADE BYRAND
Defendant

6/25/2025
Date

CERTIFICATION OF DEFENDANT'S ATTORNEY

I am KADE BYRAND's attorney. I have carefully and thoroughly discussed every part of this agreement with my client. Further, I have fully advised my client of his rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set

1 forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines
2 provisions, and of the consequences of entering into this agreement.
3 To my knowledge: no promises, inducements, or representations of any
4 kind have been made to my client other than those contained in this
5 agreement; no one has threatened or forced my client in any way to
6 enter into this agreement; my client's decision to enter into this
7 agreement is an informed and voluntary one; and the factual basis set
8 forth in this agreement is sufficient to support my client's entry of
9 a guilty plea pursuant to this agreement.

10 
11 MARK J. WERSKMAN
12 Attorney for Defendant
KADE BYRAND

6/25/25
Date

EXHIBIT A

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KADE BYRAND,

Defendant.

CR No.

I N F O R M A T I O N

[18 U.S.C. § 111(a)(1): Simple
Assault on Federal Officer]

[CLASS A MISDEMEANOR]

The United States Attorney charges:

[18 U.S.C. § 111(a)(1)]

On or about June 6, 2025, in Los Angeles County, within the
Central District of California, defendant KADE BYRAND intentionally
and forcibly assaulted, resisted, impeded, intimidated, and
interfered with victim K.N., an employee of the Bureau of Prisons,

//

//

1 while K.N. was engaged in, and on account of, the performance of
2 K.N.'s official duties.

3
4 BILAL A. ESSAYLI
United States Attorney

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6 CHRISTINA T. SHAY
Assistant United States Attorney
Chief, Criminal Division

7
8
9
10 FRANCES S. LEWIS
Assistant United States Attorney
Chief, General Crimes Section

11
12 SHAWN T. ANDREWS
Assistant United States Attorney
Deputy Chief, General Crimes Section

13
14 MAX A. SHAPIRO
Assistant United States Attorney
General Crimes Section